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Attorney Docket No.: P-4007-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): BLOOM, Ilan et al. Examiner: Booth, Richard A.
Serial No.: 09/988,122 Group Art Unit: 2818
Filed: November 19, 2001
Title: PROTECTIVE LAYER IN MEMORY DEVICE AND METHOD THEREFOR

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This communication is filed in response to the Restriction Requirement dated April 23, 2002, issued by the United States Patent and Trademark Office in connection with the above-identified Application, and further in response to a second related communication dated August 27, 2002. A response to the August 22, 2002 communication (attached) was due September 27, 2002, which fell on a Saturday. Therefore, a response is due by September 30, 2002, the following business day. Accordingly, this communication is being timely filed.

11/08/2002 SSURLES 00000009 050649 09988122
01 FC:1251 110.00 CH

As Already Stated in the Previous Response

Applicants elect to prosecute claims 1-15 of Group I drawn to a method of making a nonvolatile memory device.

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Claims 16-34 of Group II, drawn to a nonvolatile memory device, are withdrawn without prejudice at this time. Applicants reserve all rights in these non-elected claims, claims 16-34, to file divisional and/or continuation patent applications.

Election of Species

The Examiner noted claims 1-2 and 12-15 to be generic. However, the Examiner did state that within the dependent claims he believed to be two distinct species of memory cells; the first using polysilicon and the other using silicone-nitride as a protective layer. Applicants consider all the dependent claims to be generic. However, in response to the August 27th Examiner's communication, Applicants are required to elect a species, Applicants hereby elect the "polysilicon" species.

Applicants hope this communication is sufficiently response to the Examiner's request. If the Examiner has any questions or comments as to this response, the undersigned may be contacted at the address and telephone number below.

Please charge any fees associated with this paper to deposit account No. 05-0649.

Respectfully submitted,

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Dated: September 30, 2002

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